

9/17/90 VACATION OF UTILITY EASEMENT
Tract J, RLS 629 (Galleria)



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

6/4/91 —
called — he will
check on this
& let me know
re recording data

October 2, 1990

Mr. Bruce Gitters 336-3060
Faegre and Bensen
2200 Northwest Center
90 South 7th Street
Minneapolis MN 55402

Re: Vacation of Easements - Tract J, R.L.S. 629 (Galleria)

Dear Mr. Gitters:

Enclosed are two certified copies of the resolution adopted by the Edina City Council on September 4, 1990 and two certified copies of the Notice of Completion with regard to the above referenced easements vacation.

It is my understanding that you will have the documents entered into the transfer record of the County Auditor and filed with the County Recorder. Please provide me with the recording data when this has been done.

Very truly yours,

Marcella M. Daehn

Marcella M. Daehn
City Clerk

2 enclosures

cc: Thomas S. Erickson w/enclosures
Dorsey & Whitney

RESOLUTION VACATING EASEMENTS FOR UTILITY PURPOSES

WHEREAS, a resolution of the City Council, adopted the 20th day of August, 1990, fixed a date for a public hearing on a proposed vacation of easements for utility purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 4th day of September, 1990, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacations be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television polls and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota that the following described utility easements be and are hereby vacated effective as of September 5, 1990:

The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundredths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J" Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595310.

The West Eight (8) feet of the East Six Hundred Forty (640) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) of Tract "J", Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595309.

The City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED this 4th day of September, 1990.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular meeting of September 4, 1990 and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 28th day of September, 1990.

Marcella M. Daehn
City Clerk

**NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on September 4, 1990, adopted a Resolution Vacating Easements for Utility Purposes, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easements vacation be made, which resolution ordered the vacation of the following described easements for utility purposes all as platted and of record in the office of the County Recorder in and for Hennepin County, Minnesota:

The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundredths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J" Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595310.

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The time of completion of proceedings and the effective date of said vacation is September 5, 1990.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Marcella M. Daehn
City Clerk



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

**NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES**

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Marcella M. Daehn
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WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 4th day of September, 1990, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacations be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television polls and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

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ADOPTED this 4th day of September, 1990.



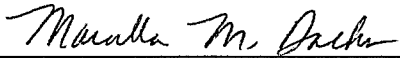
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WITNESS my hand and seal of said City this 28th day of September, 1990.



Marcella M. Daehn
City Clerk

Minnesota Suburban Newspapers

AFFIDAVIT OF PUBLICATION

City of Edina

(Official Publication)

CITY OF EDINA

4801 W. 50TH STREET

EDINA, MINNESOTA 55424

REVISED NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENTS
FOR UTILITY PURPOSES IN THE
CITY OF EDINA

HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for utility purposes:

The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundredths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J" Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595310.

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All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL
MARCELLA M. DAEHN
City Clerk

(Aug. 22, 1990)-ED

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

Gregory Ptacin

, being duly sworn on an oath says that he/she is

the publisher or authorized agent and employee of the publisher of the newspaper known as

Edina Sun-Current

, and has full knowledge of the facts which are

stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Revised Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published once each week

for one successive weeks; it was first published on Wednesday, the 22 day

of August, 19 90, and was thereafter printed and published on every _____

and including _____, the _____ day of _____, 19____; and printed below

a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size

and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: Gregory Ptacin

TITLE: General Manager

Acknowledged before me on this

24 day of August, 19 90.

Meridel M. Hedblom
Notary Public
MERIDEL M. HEDBLOM
NOTARY PUBLIC—MINNESOTA
HENNEPIN COUNTY
MY COMMISSION EXPIRES 7-2-92

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space
- (2) Maximum rate allowed by law for the above matter
- (3) Rate actually charged for the above matter

\$ 1.10 per line
(Line, word, or inch rate)
\$ 64.9¢ per line
(Line, word, or inch rate)
\$ 59¢ per line
(Line, word, or inch rate)

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

REVISED NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for utility purposes:

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk

Please publish in the Edina Sun-Current on August 22, 1990
Send two Affidavits of Publication

Meridel - this is the revision - substitute for one sent and published 8/15/90.

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk

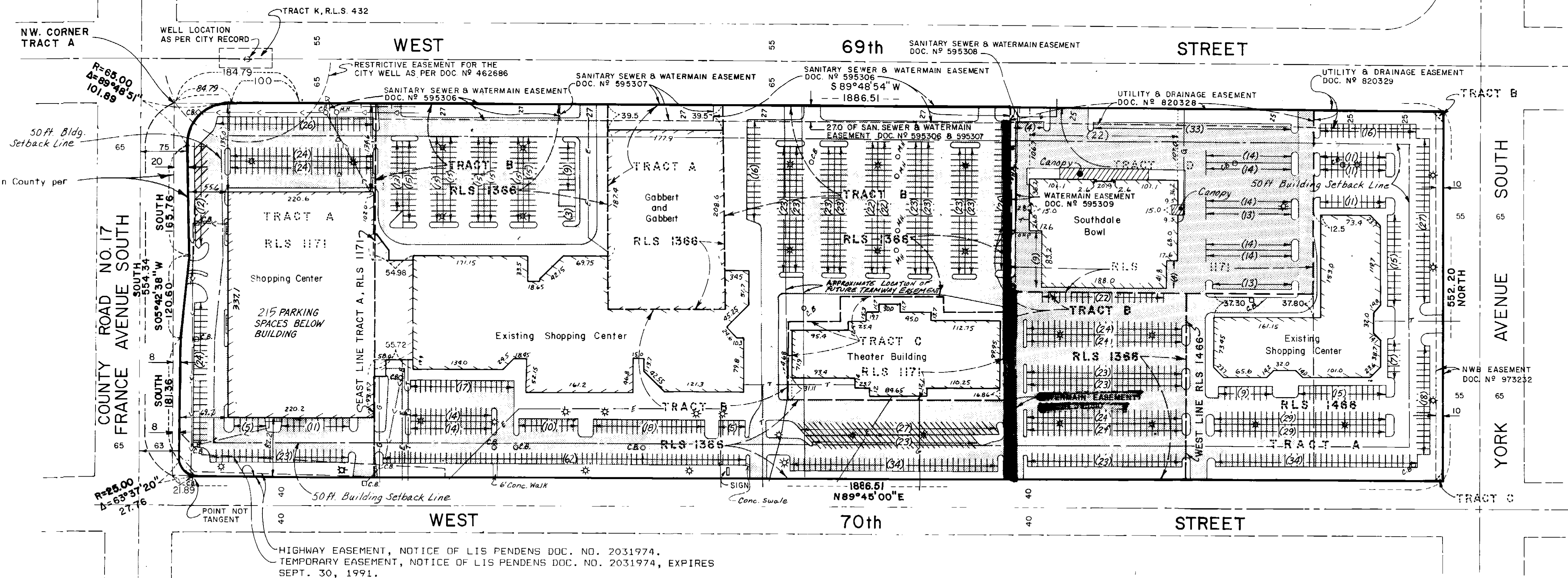
Please publish in the Edina Sun-Current on August 15 ~~and 22, 1990~~
Send two Affidavits of Publication

*Revised Copy sent for
August 22, 1990 publication.*

MORTGAGE LOAN SURVEY

for GABBERT and GABBERT COMPANY

Part of Tract A, RLS 1171 acquired by Hennepin County per Final Certificate, Doc. No. 1496184.



LEGEND

- C.B. C.B. CATCH BASIN
- M.H. MANHOLE
- S.S. STORM SEWER
- S.W. SANITARY SEWER
- W. WATERMAIN
- E. UNDERGROUND ELECTRIC
- T. UNDERGROUND TELEPHONE
- G. GAS MAIN

■ BITUMINOUS PAVEMENT

★ LIGHT STANDARD

NUMBERS SHOWN THUS: (24)
INDICATE NUMBER OF PARKING SPACES
IN A ROW.

LAND DESCRIPTION:

Tracts A, C and D, Registered Land Survey No. 1171, Files of Registrar of Titles, Hennepin County.

Tracts A and B, Registered Land Survey No. 1366, Files of Registrar of Titles, Hennepin County, except that part of said Tract B embraced within Registered Land Survey No. 1466, Files of Registrar of Titles, Hennepin County.

Tracts A, B and C, Registered Land Survey No. 1466, Files of Registrar of Titles, Hennepin County.

Being registered land as is evidenced by Certificate of Title Nos. 492255 and 514528.

AREA = 1,034,835 SQ. FT. OR 23.76 ACRES

TOTAL PARKING SPACES: 1575

Note:

Easements shown on the plat of Southdale Plaza are the same easements shown hereon as easements per Doc. Nos. 595306, 595307, & 595310.

Note:

There exists a parking and access easement over Tract C, RLS 1171; Tract A and all of Tract B, except the E. 190' thereof, RLS 1366 running in favor of Tract D, RLS 1233; Tracts C, E and the E. 190' of Tract B, RLS 1366 according to Doc. No. 1230788.

There exists a parking and access easement over Tract D, RLS 1171 running in favor of Tracts A and C, RLS 1171 and Tracts A and B, RLS 1366.

I HEREBY CERTIFY TO:

GABBERT AND GABBERT COMPANY, NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, AND TITLE INSURANCE COMPANY OF MINNESOTA,

THAT THIS SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SAID PREMISES, ALL APPLICABLE SETBACK LINES, RIGHTS OF WAY, ENCROACHMENTS ON OR FROM THE PREMISES AND ALL EASEMENTS AS SHOWN IN TITLE INSURANCE COMPANY OF MINNESOTA COMMITMENT TO INSURE APPLICATION NO. H623277C DATED APRIL 11, 1990.

AND THAT SAID SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Keith E. Dahl
KEITH E. DAHL, REGISTERED LAND SURVEYOR
MINNESOTA REGISTRATION NO. 18418

JULY 6, 1990
DATE

Title Insurance Company of Minnesota Commitment to Insure No. H623277C was relied upon as to matters of record.

UTILITIES ARE SHOWN PER FIELD LOCATIONS AND FROM RECORD MAPS OF OPERATING AUTHORITIES.

PER COMMUNITY-PANEL NO. 270160 0006 B, FLOOD INSURANCE RATE MAP, CITY OF EDINA, MINNESOTA, THIS SITE IS IN FLOOD HAZARD ZONE C, WHICH IS A ZONE OF MINIMAL FLOODING HAZARD. MAP DATED MAY 1, 1990.

PER THE CITY OF EDINA PLANNING DEPARTMENT:

PROPERTY IS ZONED PC-3. BUILDING SETBACKS ARE 50 FEET FROM PERIMETER PROPERTY LINES. THE ENCROACHMENT OF GABBERT AND GABBERT BUILDING IS ALLOWED PER VARIANCE GRANTED BY THE CITY OF EDINA.

0 100 200
SCALE IN FEET



595309

EASEMENT FOR SANITARY SEWER AND/OR WATERMAIN

THIS INSTRUMENT, Made this 12TH day of MAY 1957,
by and between SOUTHDALE REALTY COMPANY

a corporation under the laws of the State of Minnesota, party of the first
part, and the Village of Edina, a municipal corporation organized under the
laws of the State of Minnesota, party of the second part;

WITNESSETH, That the said party of the first part, in consideration
of One and no/100 (\$1.00) Dollars, to it in hand paid by the said party of
the second part, the receipt whereof is hereby acknowledged, does Grant,
Bargain, Sell, Convey and Warrant to said party of the second part an Easement
in perpetuity for (sanitary sewer purposes) including the right to enter for
the purpose of constructing, maintaining, altering, repairing and reconstruct-
ing a (sanitary sewer system) and/or a watermain in and over the following
described property situated in the County of Hennepin and State of Minnesota,
to-wit:

An easement for watermain purposes only over and across the
following described land: The West Eight (8) feet of the
East Six Hundred Forty (640) feet (except the North Twenty-seven
(27) feet thereof and the South Two Hundred Eighty-two and
Ninety-one Hundredths (282.91) feet thereof) of Tract "J",
Registered Land Survey Number Six Hundred Twenty-nine (629),
Hennepin County, Minnesota.

KEITH DAHL
REGISTERED LAND SURVEYOR



PLANNING
TRANSPORTATION
ENGINEERING
URBAN DESIGN

BRW, INC. PHONE: 612/370-0700
THRESHER SQUARE, 700 THIRD ST. S., MINNEAPOLIS, MN 55415 FAX: 612/370-1378
AN AFFILIATE OF THE BENNETT, RINGROSE, WOLSFELD, JARVIS, GARDNER, INC., GROUP
MINNEAPOLIS • DENVER • PHOENIX • TUCSON • ST. PETERSBURG

JUN 11 1957

J. J. Daubert

595310

EASEMENT FOR SANITARY SEWER AND/OR WATERMAIN

THIS INSTRUMENT, made this 12TH day of MAY, 1959.by and between SOUTHDAL REALTY COMPANY

a corporation under the laws of the State of Minnesota, party of the first part, and the Village of Edina, a municipal corporation organized under the laws of the State of Minnesota, party of the second part;

WITNESSETH, That the said party of the first part, in consideration of One and no/100 (\$1.00) Dollars, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does Grant, Bargain, Sell, Convey and Warrant to said party of the second part an Easement in perpetuity for ~~(sanitary sewer purposes)~~ including the right to enter for the purpose of constructing, maintaining, altering, repairing and reconstructing a ~~(sanitary sewer system)~~ and/or a watermain in and over the following described property situated in the County of Hennepin and State of Minnesota, to-wit:

An easement for watermain purposes only over and across the following described land: The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundredths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J", Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota.

TRANSFER ENTERED

JUN 4 1959

ROBERT F. FITZSIMMONS, AUDITOR
HENNEPIN COUNTY, MINN.BY F. J. Daubaut DEPUTY



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk



REPORT/RECOMMENDATION

To: Mayor & City Council	Agenda Item # <u>V.C.</u>
From: Francis Hoffman City Engineer	Consent <input type="checkbox"/>
Date: 4 September, 1990	Information Only <input type="checkbox"/>
Subject: Public Hearing - Vacation of Easement across Galleria Property	Mgr. Recommends <input type="checkbox"/> To HRA
	<input checked="" type="checkbox"/> To Council
	Action <input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Resolution
	<input type="checkbox"/> Ordinance
	<input type="checkbox"/> Discussion

Recommendation:

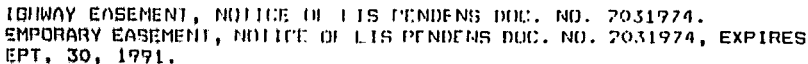
Approve vacation of utility easement across Tract J, RLS 629 (Galleria Property).

Info/Background:

The applicant requests vacation of a utility easement across the Galleria property (sketch attached). This easement contains a water main that once completed a water main loop prior to the construction of the Yorktown area. The easement and water main system are no longer needed as part of the public system.

Therefore, staff recommends vacating the easement and all other utility companies also find this to be acceptable.

FACT K, R.L.S 432



I HEREBY CERTIFY TO:

GABBERT AND GABBERT COMPANY, NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY
AND TITLE INSURANCE COMPANY OF MINNESOTA.

THAT THIS SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES, AND OTHER IMPROVEMENTS SITUATED ON THE SAID PREMISES, ALL APPLICABLE SETBACK REQUIREMENTS, RIGHTS OF WAY, ENCROACHMENTS ON OR FROM THE PREMISES AND ALL EASEMENTS AFFECTING THE TITLE INSURANCE COVERAGE OF MINNESOTA COMMUNITIES TO INSURE APPLICATION

AUG 2 1990

PUBLIC RIGHT-OF-WAY VACATION APPLICATIONDate Initiated August 7, 1990

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

<input type="checkbox"/> Street	<input type="checkbox"/> Alley	<input checked="" type="checkbox"/> Utility Easement	
			TOTAL 100.00
<input type="checkbox"/> Drainage Easement	<input type="checkbox"/> Other _____		08/08/9
	(describe)		

Legal description of area proposed to be vacated:

The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninty-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundreaths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J" Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota.

Watermain Easement Doc. No. 595310 and legal description for Watermain Easement Doc. No. 595309 attached.

Attached copy of scaled drawing showing in full detail the proposed vacation.

Signature *James L. Bell*

Address Gabbert and Gabbert Company
3510 West 70th Street, Edina, MN 554
 Telephone (612) 925-4321

2) Review

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

N.W. BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____





REPORT/RECOMMENDATION

To: KEN ROSLAND, MANAGER	Agenda Item # <u>VII.C</u>
From: MARCELLA DAEHN, CLERK	Consent <input checked="" type="checkbox"/>
Date: AUGUST 16, 1990	Information Only <input type="checkbox"/>
Subject: PETITION FOR VACATION OF UTILITY EASEMENTS - TRACT J, R.L.S. 629 (GALLERIA)	Mgr. Recommends <input type="checkbox"/> To HRA <input checked="" type="checkbox"/> To Council
	Action <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Discussion

Recommendation:

Adoption of a resolution setting Tuesday, September 4, 1990 as hearing date for the vacation of utility easements on Tract J, R.L.S. 629 (Galleria).

Info/Background:

Staff would recommend that September 4, 1990 be set as hearing date to consider the vacation petition.

CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. WEST COMMUNICATIONS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by Ronald A. Goodin ☐ XXXX Acceptable ☐ Opposed ☐ Conditional
Ronald A. Goodin
Verification Technician

CONDITIONS: _____

LOCATION: _____ Tract J, R.L.S. 629

(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

PARAGON CONSTRUCTION MAPS L57-39
-49

No PARAGON CABLE within this described area as of 8-23-90

PARAGON CABLE
Ronald Goodin
522-5200 Ext. 254
CA _____
RE: _____

AUG 23 1990

CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST COMMUNICATIONS by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
NSP by <u>Wayne Tairnel</u>	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: _____

LOCATION: Tract J, R.L.S. 629

(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF POSTING NOTICE

I, the undersigned duly appointed and acting Police Patrolman for the City of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have on this date posted copies of the attached and foregoing

NOTICE OF PUBLIC HEARING - VACATION OF EASEMENTS FOR UTILITY PURPOSES

on three official City Bulletin Boards, as follows:

- 1) City Hall, 4801 W. 50th Street
- 2) 50th and France Business Area, 3943 W. 50th Street
- 3) Amundson Avenue Shopping Center

Dated

August 23rd 1990

Signed

Nancy Lynn Morgan
Police Patrolman

Signed and sworn to before me, a Notary Public in and for Hennepin County, Minnesota, this

23 day of August, 1990.

Nancy Karkhoff





4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for utility purposes:

The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundredths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J" Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595310.

The West Eight (8) feet of the East Six Hundred Forty (640) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) of Tract "J", Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595309.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk

CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by Francis J. Hoffman ☒ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. WEST COMMUNICATIONS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS: _____

LOCATION: Tract J, R.L.S. 629
(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
MINNEGASCO by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
U.S. WEST COMMUNICATIONS by _____	<input checked="" type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
<i>Cary O Schmidt 8/21/90</i>						
NSP by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional
PARAGON CABLE by _____	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Opposed	<input type="checkbox"/>	Conditional

CONDITIONS: _____

LOCATION: _____ Tract J, R.L.S. 629

(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

CITY OF EDINA
4801 W. 50th Street
Edina, Minnesota 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

8-20-90
MINNEGASCO by Steve VanBergen ☒ Acceptable ☐ Opposed ☐ Conditional

U.S. WEST COMMUNICATIONS by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS: _____

LOCATION: Tract J, R.L.S. 629

(See legal description on attached Notice of Public Hearing)

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424

3301 69
3401 0



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street on September 4, 1990 at 7:00 p.m., for the purpose of holding a public hearing on the proposed vacation of the following easements for utility purposes:

The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundredths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J" Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595310.

The West Eight (8) feet of the East Six Hundred Forty (640) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) of Tract "J", Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota, recorded as Watermain Easement Doc. No. 595309.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone, or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk

MAP 117

1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date August 15, 1990, acting on behalf of said City I deposited in the United States mail copies of the attached _____

NOTICE OF PUBLIC HEARING - EASEMENT VACATION

(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date at least 14 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and seal of said City this 15th day of August, 19 90.

Marcella M. Daehn
Edina City Clerk



4801 WEST 50TH STREET, EDINA, MINNESOTA 55424
612-927-8861

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk

MAILING LIST - PUBLIC HEARING - VACATION OF UTILITY EASEMENT
TRACT J, R.L.S. 629 (Galleria)

No abutting properties

Stuart E. Fraser
NSP Normandale Division
5309 W. 70th Street
Edina, MN 55439

Steven Von Bargaen
Minnesgaco
700 Linden Avenue So.
P.O. Box 1165
Minneapolis MN 55403

Pat Hopman
U.S. West Communications
6244 Cedar Avenue So.
Richfield, MN 55423

Matt Haveland
Paragon Cable
801 Plymouth Avenue No.
Minneapolis MN 55411

29-028-24-33-0006

Gabbert and Gabbert Company
c/o Gabbert & Beck
3510 W. 70th St.
Edina, MN 55435

0008

Gabbert and Gabbert Company
Gabberts
3501 W. 69th St.
Edina, MN 55435

0013

Same as 0008

29-028-24-34-0012

Gabbert and Gabbert Company
c/o Kraus-Anderson
523 8th Street So.
Minneapolis, MN 55404

0015

Gabbert and Gabbert Company
3510 W. 70th Street
Edina, MN 55435

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENTS FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk

Gabbert & Beck

3510 WEST 70TH STREET EDINA, MINNESOTA 55435

(612) 925-4321

FACSIMILE MESSAGE COVER SHEET

FROM: GABBERT & BECK
3510 WEST 70TH STREET
EDINA, MN 55435

MAIN PHONE NUMBER: (612) 925-4321 FAX NUMBER: (612) 925-2965

DATE: 8/10/90 TIME: 2:25 pmPlease deliver the following page(s) to FAX Number: 927-5032

TO: Marcella Dames
City of Edina
FROM: Debby Courrier

Total number of pages including this cover letter is: 2Special instruction: To be added to application
to vacate easement w/ City of Edina

If transmission is not clear or you do not receive all pages please
call us at (612) 925-4321.

ABBERT COMPANY

Highlighted Part: Con Same

"Working to 100.0"

IRRAWADDI EASEMENT

Section 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

1886.51

1886.51



1886.51

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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BY ORDER OF THE EDINA CITY COUNCIL

Marcella M. Daehn
City Clerk

Please publish in the Edina Sun-Current on August 15 and 22, 1990
Send two Affidavits of Publication



City of Edina, Minnesota

OFFICE OF THE CITY CLERK

4801 West 50th Street • Edina, Minnesota 55424 • (612) 927-8861

TRANSMITTAL

DATE: 8/8/90

TO: Keith E. Dahl RLS FAX 370-1378
BRW, Inc.

FROM: Marcella Daehn

RE: Vacation of Utility Easement - Gabbert & Gabbert Co.

ITEM(S):	NO.	DESCRIPTION
	<u>1</u>	<u>Public Right of Way Vacation Application</u>

PURPOSE:

<input type="checkbox"/> As you requested	<input type="checkbox"/> Review and return
<input type="checkbox"/> For your information	<input type="checkbox"/> Reply to sender
<input type="checkbox"/> For your approval	<input type="checkbox"/> Other (see remarks)

REMARKS: 2 pages including cover.

Please mark with colored pencil the actual right of way to

be vacated on the mortgage loan survey dated 7/6/90 which you

prepared and mail 6 copies to me.

AUG 2 1990

PUBLIC RIGHT-OF-WAY VACATION APPLICATIONDate Initiated August 7, 1990

- 1) I hereby petition the City Council of the City of Edina to vacate all of the following described public right-of-way:

<input type="checkbox"/> Street	<input type="checkbox"/> Alley	<input checked="" type="checkbox"/> Utility Easement	
		TOTAL	100.00
<input type="checkbox"/> Drainage Easement	<input type="checkbox"/> Other		08/08/90
	(describe)		

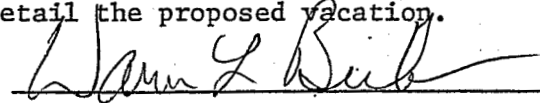
Legal description of area proposed to be vacated:

The West Sixteen (16) feet of the East Six Hundred Forty-eight (648) feet of the South Two Hundred Eighty-two and Ninty-one Hundredths (282.91) feet and the East Eight (8) feet of the West One Thousand Two Hundred Forty-six and Fifty-one Hundredths (1246.51) feet (except the North Twenty-seven (27) feet thereof and the South Two Hundred Eighty-two and Ninety-one Hundredths (282.91) feet thereof) all in Tract "J" Registered Land Survey Number Six Hundred Twenty-nine (629), Hennepin County, Minnesota.

Watermain Easement Doc. No. 595310- and legal description for Watermain Easement Doc. No. 595309 attached.

Attached copy of scaled drawing showing in full detail the proposed vacation.

Signature

Address Gabbert and Gabbert Company3510 West 70th Street, Edina, MN 55435Telephone (612) 925-4321

2) Review

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

N.W. BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions _____

Gabbert & Beck

3510 WEST 70TH STREET, EDINA, MINNESOTA 55435

(612) 925-4321

August 7, 1990

City of Edina
Department of Engineering
4801 West 50th Street
Edina, MN 55424

ATTN: Bob Obermeyer

Please find enclosed a Public Right-Of-Way Vacation
Application, a check for the \$100 fee and the required scaled
drawing.

Sincerely,



Warren Beck
President

WB/dc

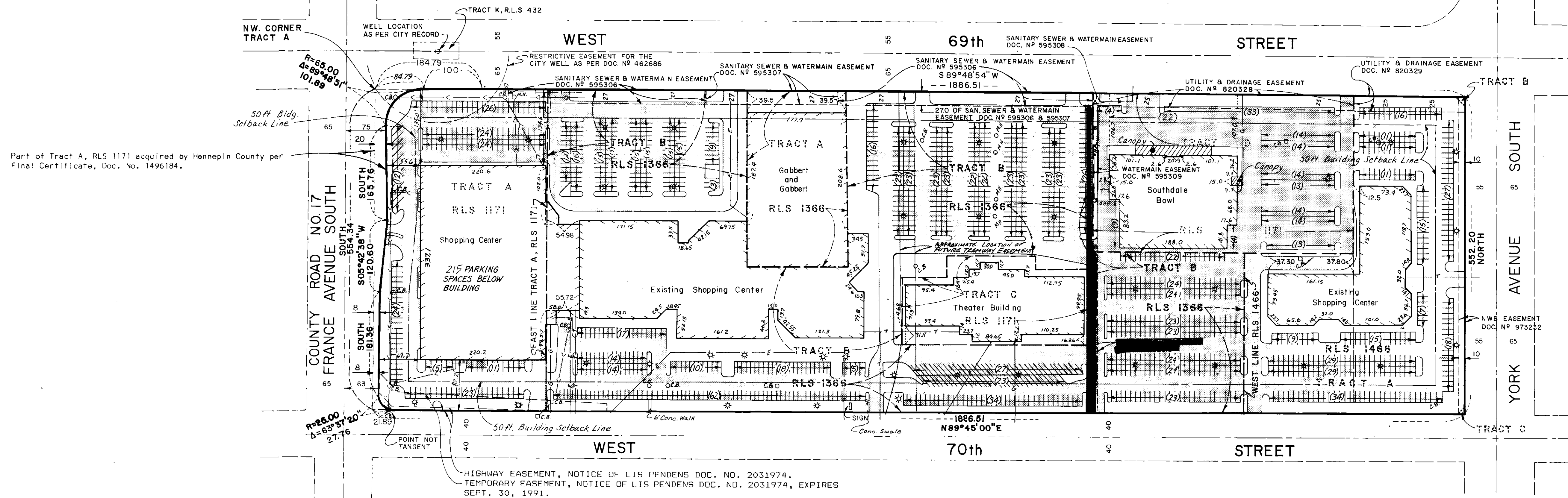
Enc.

cc: Gordon Hughes

MORTGAGE LOAN SURVEY

for

GABBERT and GABBERT COMPANY



LEGEND

- C.B. C.B. CATCH BASIN
- M.H. MANHOLE
- S.S. STORM SEWER
- S.W. SANITARY SEWER
- W. WATERMAIN
- E. UNDERGROUND ELECTRIC
- T. UNDERGROUND TELEPHONE
- G. GAS MAIN

■ BITUMINOUS PAVEMENT

★ LIGHT STANDARD

NUMBERS SHOWN THUS: (24)
INDICATE NUMBER OF PARKING SPACES
IN A ROW.

LAND DESCRIPTION:

Tracts A, C and D, Registered Land Survey No. 1171, Files of Registrar of Titles, Hennepin County.

Tracts A and B, Registered Land Survey No. 1366, Files of Registrar of Titles, Hennepin County, except that part of said Tract B embraced within Registered Land Survey No. 1466, Files of Registrar of Titles, Hennepin County.

Tracts A, B and C, Registered Land Survey No. 1466, Files of Registrar of Titles, Hennepin County.

Being registered land as is evidenced by Certificate of Title Nos. 499255 and 514528.

AREA = 1,034,835 SQ. FT. OR 23.76 ACRES

Note:

Easements shown on the plat of Southdale Plaza are the same easements shown hereon as easements per Doc. Nos. 595306, 595307, & 595310.

Note:

There exists a parking and access easement over Tract C, RLS 1171; Tract A and all of Tract B, except the E. 190' thereof, RLS 1366 running in favor of Tract D, RLS 1233; Tracts C, E and the E. 190' of Tract B, RLS 1366 according to Doc. No. 1230788.

There exists a parking and access easement over Tract D, RLS 1171 running in favor of Tracts A and C, RLS 1171 and Tracts A and B, RLS 1366.

I HEREBY CERTIFY TO:

GABBERT AND GABBERT COMPANY, NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, AND TITLE INSURANCE COMPANY OF MINNESOTA,

THAT THIS SURVEY CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SAID PREMISES, ALL APPLICABLE SETBACK LINES, RIGHTS OF WAY, ENCROACHMENTS ON OR FROM THE PREMISES AND ALL EASEMENTS AS SHOWN IN TITLE INSURANCE COMPANY OF MINNESOTA COMMITMENT TO INSURE APPLICATION NO. H623277C DATED APRIL 11, 1990.

AND THAT SAID SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Keith E. Dahl
KEITH E. DAHL, REGISTERED LAND SURVEYOR
MINNESOTA REGISTRATION NO. 18418

JULY 6, 1990
DATE

Title Insurance Company of Minnesota Commitment to Insure No. H623277C was relied upon as to matters of record.

UTILITIES ARE SHOWN PER FIELD LOCATIONS AND FROM RECORD MAPS OF OPERATING AUTHORITIES.

PER COMMUNITY-PANEL NO. 270160 0006 B, FLOOD INSURANCE RATE MAP, CITY OF EDINA, MINNESOTA, THIS SITE IS IN FLOOD HAZARD ZONE C, WHICH IS A ZONE OF MINIMAL FLOODING HAZARD. MAP DATED MAY 1, 1990.

PER THE CITY OF EDINA PLANNING DEPARTMENT:

PROPERTY IS ZONED PC-3. BUILDING SETBACKS ARE 50 FEET FROM PERIMETER PROPERTY LINES. THE ENCROACHMENT OF GABBERT AND GABBERT BUILDING IS ALLOWED PER VARIANCE GRANTED BY THE CITY OF EDINA.

0 100 200
SCALE IN FEET

